

APPLICANT(S): ECK et al.
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REMARKS

The present response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1-11 are pending in the application. Claims 1-11 have been rejected. Claims 1-11 have been amended.

New claim 12 has been added in order to further define what the Applicants consider to be the invention. Applicants respectfully assert that no new matter has been added.

Claims 3-9 have been voluntarily amended for clarification only. These amendments are not being made for reasons of patentability. The amended claim is not subject to the complete bar against the use of the doctrine of equivalents as outlined in *Festo Corp. v. Shoketsu Kinsoku Kogyo Kapushiki Co., Ltd. a/ka/ SMC Corp. and SMt Pneumatics, Inc.*, as the amendments are not being made for reasons of patentability.

Applicants respectfully assert that the amendments to the claims add no new matter.

CLAIM REJECTIONS

35 U.S.C. § 102 Rejections

In the Office Action, the Examiner rejected claims 1-5 and 8-11 under 35 U.S.C. § 102(b), as being anticipated by Strommer *et al.* (US 2002/0049375). Applicants respectfully traverse this rejection in view of the remarks that follow.

Strommer *et al.* discloses reconstructing "a plurality of three-dimensional images from a plurality of detected two-dimensional images" (paragraph 31). The apparatus

described by Strommer *et al.* then "displays a sequence of these three-dimensional images" (paragraph 95) and "superimposes a representation" of a surgical tool "on the currently displayed three-dimensional image" (paragraph 96). Strommer *et al.* does not disclose "selecting from the memory at least one ultrasound image corresponding to a current location in the vessel and displaying said at least one ultrasound image on the display unit concurrently with an X-ray image of the vessel" as recited in amended independent claim 1. Nor does Strommer *et al.* disclose "selecting at least one ultrasound image from the sequence of images corresponding to the current location" and "displaying the selected ultrasound image concurrently with an X-ray image of the vessel" as recited in amended independent claim 10. For a reference to anticipate a claim, the reference must disclose all elements of the claim. Therefore, Strommer *et al.* cannot anticipate claims 1 and 10, as amended.

Accordingly, Applicants respectfully assert that amended independent claims 1 and 10 are allowable. Claims 2-5, 8-9 and 11, as amended, depend from, directly or indirectly, claims 1 and 10, and therefore include all the limitations of those claims. Therefore, Applicants respectfully assert that amended claims 2-5, 8-9 and 11 are likewise allowable. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections to amended independent claims 1 and 10 and to claims 2-5, 8-9 and 11 dependent thereon.

Applicants respectfully request reconsideration and withdrawal of the rejections of claims 1-5 and 8-11.

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 6 and 7 under 35 U.S.C. § 103(a), as being unpatentable over Strommer *et al.*

Applicants respectfully traverse the rejection of claims 6 and 7 under Strommer *et al.*

As discussed above, Applicants respectfully assert that amended independent claim 1 is allowable. Claims 6 and 7 depend from, directly or indirectly, claim 1, and therefore include all the limitations of that claim. Therefore, Applicants respectfully assert that claims 6 and 7 are likewise allowable. Accordingly, Applicants respectfully request that the

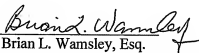
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Examiner withdraw the rejections to claims 6 and 7 dependent on amended independent claim 1.

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Respectfully submitted,


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